

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

UNITED STATES OF AMERICA,

-against-

ROBERT MENENDEZ et al.,

Defendants.

Case No. S2 23-cr-490 (SHS)

NOTICE OF MOTION TO SUPPRESS SEARCH WARRANT RETURNS

PLEASE TAKE NOTICE that upon the accompanying Memorandum of Law, the Declaration of Avi Weitzman and Exhibits thereto, and the Declaration of Senator Robert Menendez, Defendant Senator Robert Menendez will and hereby does respectfully move this Court before the Honorable Sidney H. Stein, United States District Judge, in Courtroom 23A at the United States District Court for the Southern District of New York, 500 Pearl Street, New York, New York, 10007, on a date and time to be designated by the Court, pursuant to Federal Rule of Criminal Procedure 12, for an Order (i) convening an evidentiary hearing pursuant to the Supreme Court's decision in *Franks v. Delaware*, 438 U.S. 154 (1978); and (ii) suppressing evidence obtained pursuant to the search warrants identified in the Memorandum of Law.

PLEASE TAKE FURTHER NOTICE that by Order of the Court (ECF No. 144), any opposition papers shall be filed on or before February 12, 2024, and any reply shall be filed on or before February 19, 2024.

Dated: January 22, 2024

Respectfully submitted,

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